

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 3RD day of NOVEMBER, 1992, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court in the Commissioners' Courtroom of the Administration Building in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. J. Edgar Ruiz
County Judge

Hon. Ramiro Cavazos
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Norberto Salinas
County Commissioner, Precinct #3

Hon. Leonard Camarillo
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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NOVEMBER 3, 1992

The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. APPROVAL OF BILLS - County Auditor

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve in the General Fund bills #84083 thru #84194 totaling \$919,707.71; in the Special Revenue Fund bills #81543 thru #81665 totaling \$661,738.55; in the Capital Projects Fund bills #4592 and #4593 totaling \$550.88; in the Trust and Agency Fund bills #3195 thru #3216 in the amount of \$693,405.92 and in the Enterprise Fund bills #1276 thru #1289 totaling \$14,525.03.

MOTION CARRIED.

ITEM 2. APPROVAL OF COURT APPOINTED ATTORNEY'S FEES-\$69,144.50

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve court appointed attorneys' fees, totaling \$69,144.50.

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 3. TAX ASSESSOR/COLLECTOR:

A. Approval of Tax Refund - Gregorio Villarreal-\$795.53

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve a tax refund to Gregorio Villarreal, totaling \$795.53.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 4. COMPLETION OF CANVASSING OF ELECTION FOR THE CITY OF PENITAS AND DECLARING RESULTS OF SAID ELECTION AND CALLING AN ELECTION FOR THE ELECTION OF OFFICERS FOR THE CITY OF PENITAS

Mr. Bob Storey came before the Court requesting approval of the canvassing of the election for the City of Penitas. He mentioned that the original map of the incorporation changed since the election, due to a suit that had been filed in the District Court. After further discussion, with additional comments from Mr. Travis Heister, regarding the change in the area of Penitas, Judge Ruiz canvassed the results, as follows: In Favor - 249; Against - 44, and this included both early voting and election day results. A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a resolution and order canvassing returns and declaring results of election held, on August 8th, 1992. The proposition to be considered as such

election will be for or against the incorporation of the City of Penitas, as amended; in favor was 249 votes against was 44, making a total votes cast of 293; so it was in favor, so the incorporation of Penitas election is being passed.

MOTION CARRIED.
SEE "EXHIBIT B"

Judge Ruiz read the order calling for the election of officers for the City of Penitas. He mentioned that the election would be held on January 16, 1993, to be run by the County Clerk's Office. The last day to file for office, for this election is no later than 5:00 PM, on the December 16, 1992. The polling place, for both election day and early voting, will be at the CCD Center, at St. Anthony's Church. The election judge would be Janie Ochoa and she will appoint an assistant judge and two clerks. A motion was then made by Commissioner Salinas, seconded by Commissioners Cavazos and Arcaute, order a special for aldermen and mayor, for the City of Penitas, election shall be held January 16th, 1993.

MOTION CARRIED.

- ITEM 5. WIC:
 - A. Approval of lease - San Juan site

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the lease, in San Juan, with the Nebraska Avenue Development Company and the County of Hidalgo, for a two year lease, beginning the 1st of November; the lease is for \$650.00 per month and it will be for twenty-four months, totaling \$7,800.00, over a two year period.

MOTION CARRIED.
SEE "EXHIBIT C"

- ITEM 6. COUNTY AUDITOR:
 - A. Approval to transfer Surplus Funds - Certificates of Obligation

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to authorize a transfer of surplus of \$13,000.00, from Series 1988 into the Hidalgo County Refunding Bonds Series 1990 Debt Service #282.

MOTION CARRIED.
SEE "EXHIBIT D"

- ITEM 7. INTERNAL LINE ITEM TRANSFERS:
 - A. Financial Disruption Task Force
 - B. Justice of the Peace (Rosa Trevino)
 - C. Justice of the Peace (Arnaldo Corpus)
 - D. County Clerk
 - E. Constables
 - F. District Attorney (Investigation Fund)
 - G. District Attorney (General Fund)
 - H. Juvenile Detention Center
 - I. Juvenile Probation

- J. Health Departemnt (Sanitation)
- K. Hidalgo County Library System
- L. Precinct #3 (Parks)
- M. Computer Department
- N. Adult Probation (State Funds)
- O. Buildings & Grounds

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the internal line transfers, as follows: Financial Disruption Task Force - \$100.00; Justice of the Peace/Rosa Trevino - \$1,386.20; Justice of the Peace/Arnaldo Corpus - \$1,701.00; County Clerk - \$3,300.00; Constables - \$57.00; District Attorney/Investigation Fund - \$10,000.00; District Attorney/General Fund - \$6,500.00; Juvenile Detention - \$385.00; Juvenile Probation - \$436.00; Health Department/Sanitation - \$130.33; Library System - \$4,000.00; Precinct #3/Parks - \$514.60; Computer Department - \$2,300.00; Adult Probation/State Funds - \$700.00; Buildings and Grounds - \$36,500.00.

MOTION CARRIED.
SEE "EXHIBIT E"

ITEM 8. PRECINCT #1:

- A. Approval to transfer Road district #7 Funds to Road & Bridge Fund

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a transfer of funds from Road District #7 Funds to Road and Bridge Fund, totaling \$25,000.00, as presented.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 9. PRECINCT #4:

- A. Resolution proclaiming November 8-14 (Manuel Diaz Week)

Commissioner Camarillo explained that he was approached by the County Veterans' Officer, in reference to doing some type of recognition, for a gentleman who lost his life in World War Two, from the Fayesville area. In conjunction to this a committee was formed, in the area of Fayesville and he was also requesting that four lots that were awarded to the County be turned into a park, in honor of Manuel Diaz. Judge Ruiz then read the resolution, after which a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to adopt this resolution.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 10. J.D. SALINAS, Project Coordinator:

- A. Authorization of Interlocal Agreement between City of McAllen & County of Hidalgo

A motion was made by Commissioner Camarillo, seconded

(11/03/92)

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by Commissioner Cavazos, to approve an interlocal agreement between the City of McAllen and the County of Hidalgo, for the use of a vehicle from confiscated equipment from the Task Force.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 11. PLANNING DEPARTMENT:

A. Subdivisions:

1. Lots 8A & 9A, Block 4, Holland Heights S/D
- Pct. #2
2. Mayberry Heights Subdiviison - Pct. #3
3. Mendes Lara Subdivision - Pct. #3

B. Preliminary Plat Approval:

1. La Homa Groves Subdivision Unit #4 - Pct. #3

C. Final Plat Approval:

1. Valle Grande Subdivision #1 - Pct. #3

11/A/1

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the plat of Lots 8A & 9A, Block 4, Holland Heights Subdivision, which is located on the northwest corner of North 6th Street and V.W. Avenue, inside the city limits of McAllen, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT I"

11/A/2

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the plat of Mayberry Heights Subdivision, which is located on the northwest corner of the 6 Mile Line and Mayberry Road, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT I"

11/A/3

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the plat of Mendes Lara Subdivision, which is located approximately 260 feet east of Bentsen Road on the south side of the 4 Mile Line, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT I"

11/B

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to give preliminary approval to the plat of La Homa Groves Subdivision Unit #4, which is located approximately 1/2 mile north of the 5 Mile Line on the west side of Moorefield Road, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT I"

11/C

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to give final approval to the plat of Valle Grande Subdivision #1, which is located approximately 1/2 mile north of the 5 Mile Line on the west side of La Homa Road, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 12. URBAN COUNTY:

- A. Alton - Parks & Recreation Contract Award UCP Year 4
- B. City of Donna - Boys & Girls Club Subrecipient Agreement B-92-UC-48-0501
- C. Precinct #1 - Street Improvements - Year 5 Health Clinic Parking Lot - Contract Award
- D. Approval of Bills

12/A

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a contractual agreement between Rene Trevino Construction, the City of Alton and the County of Hidalgo, for picnic shelter roofs; total contract \$9,993.50.

MOTION CARRIED.
SEE "EXHIBIT J"

12/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a subrecipient agreement between the City of Donna, the County of Hidalgo and the Donna Boys & Girls Club, for a \$15,000.00 allocation, from their Urban County funds.

MOTION CARRIED.
SEE "EXHIBIT J"

12/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to authorize a rejection of all bids received for the Health Clinic parking lot, in Weslaco, and authorize a readvertising for bids.

MOTION CARRIED.
SEE "EXHIBIT J"

12/D

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the 1991 Urban County bills #3984 thru #3987 totaling \$3,729.06 and the 1992 Urban County bills #3988 thru #3992 totaling \$13,995.69. The total Urban County memorandum to be approved is \$17,724.75.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 13. PERMITS:

- A. Western Geophysical - Pcts. 1 & 2

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a request for permit by Western Geophysical, to go cross country, starting at 23rd Street and FM 1016 and going diagonally across, until they hit the Cameron County Line, at about Mile 2 1/2 North.

MOTION CARRIED.

SEE "EXHIBIT K"

ADD. 1 EXECUTIVE SESSION:

A. Commissioners' Court may go into Executive Session, pursuant to Article 6252-17, Section 2g, V.T.C.S. to discuss the following matter:

- 1. Department of Community Affairs
 - a. Reassignment and/or Dismissal of Executive Director

Judge and Commissioners went into Executive Session, accompanied by Mr. Travis Heister, County Legal Counsel.

NO ACTION.

ADD. 2 OPEN SESSION:

A. Discussion and possible action on reassignment and/or dismissal of Executive Director

Judge Ruiz explained that Mr. Jesse Villarreal, Executive Director, for the Department of Community Affairs, had submitted a letter requesting a demotion, from the Executive Director position to an Administrative Assistant position, due to health reasons. A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve Mr. Villarreal's request, that there be a reclassification in his position, from Executive Director to Administrative Assistant, to be paid equal to the highest Administrative Assistant presently hired by JTPA.

MOTION CARRIED.

A motion was then made by Commissioner Salinas, seconded by Commissioner Cavazos, to appoint Interim Executive Director, yours truly, J. Edgar Ruiz, the County Judges Office, as Interim Director, for the Department of Community Affairs, JTPA, for the daily operations of this agency.

MOTION CARRIED.

There being no further business to come before the Court a motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, that said meeting of Commissioners' Court be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT

The Honorable J. Edgar Ruiz, County Judge, called the Drainage District meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. PERMIT:
A. City of Mission

NO ACTION.

ITEM 2. LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the internal line item transfer, of \$25,000.00, for Drainage District #1, as presented.

MOTION CARRIED.
SEE "EXHIBIT L"

There being no further business to come before the Drainage District, the meeting was hereby adjourned.

MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS TO COME

BEFORE SAID COURT, the meeting of the Commissioners' Court was adjourned.

J. Edgar Ruiz
County Judge

Ramiro Cavazos
County Commissioner, Precinct #1

Lalo Arcaute
County Commissioner, Precinct #2

Norberto Salinas
County Commissioner, Precinct #3

Leonard Camarillo
County Commissioner, Precinct #4

Dated this 3RD day of NOVEMBER, 1992.

ATTEST:

WILLIAM R. LEO, COUNTY CLERK

By: 
Jennifer Castillo, Deputy

